# No. 8

# **MICHIGAN SENATE**

# DAILY CALENDAR

WEDNESDAY, JANUARY 30, 2008 10:00 a.m.

#### **MOTIONS** MESSAGES FROM THE GOVERNOR \_\_\_\_ 6 \_\_\_\_ 43 Sen. Gleason SB 232 Sen. Hardiman SB Torts; product liability; immunity from liability for drugs Appropriations; human services; department of human that have been approved by federal food and drug adminisservices; provide for fiscal year 2007-2008. tration; rescind. Creates appropriation act. Amends sec. 2946 of 1961 PA 236 (MCL 600.2946). Approved by Governor, with line items vetoed, Motion to discharge Committee on Judiciary pending. Wednesday, October 31, 2007. For veto message, see Senate Journal No. 116 of 2007, — 2 —— page 2122. **HB** 4044 Rep. Simpson Vetoed line items pending. Torts; product liability; immunity from liability for drugs that have been approved by federal food and drug administration; rescind. Amends sec. 2946 of 1961 PA 236 (MCL 600.2946). SB 238 Sen. Garcia Motion to discharge Committee on Judiciary pending. Appropriations; state police; department of state police; provide for fiscal year 2007-2008. Creates appropriation act. MESSAGES FROM THE GOVERNOR Approved by Governor, with line items vetoed, Wednesday, October 31, 2007. \_\_\_ 3 \_\_\_\_\_ For veto message, see Senate Journal No. 116 of 2007. SB 436 Sen. Jelinek page 2123. Appropriations; supplemental; multidepartment supple-Vetoed line items pending. mental for fiscal year 2007; provide for. Creates appropriation act. Approved by Governor, with line item vetoed, Wednes-SB **240** Sen. Hardiman day, June 6, 2007. Appropriations; transportation; department of transporta-For veto message, see Senate Journal No. 57 of 2007, tion; provide for fiscal year 2007-2008. page 847. Creates appropriation act. Vetoed line item pending. Approved by Governor, with line items vetoed, \_\_\_\_\_ 4 <u>\_\_</u> Wednesday, October 31, 2007. 222 Sen. Brown For veto message, see Senate Journal No. 116 of 2007, Appropriations; agriculture; department of agriculture; page 2123. provide for fiscal year 2007-2008. Vetoed line items pending. Creates appropriation act. Approved by Governor, with line items vetoed, Wednesday, October 31, 2007. For veto message, see Senate Journal No. 116 of 2007, page 2121. MESSAGES FROM THE HOUSE Vetoed line items pending. \_\_\_\_ 9 \_\_\_\_\_ SB 229 Sen. Pappageorge SB 53 Sen. Whitmer Appropriations; general government; appropriations for

Income tax; city; contributions to a city for specified pur-

Amends 1964 PA 284 (MCL 141.501 - 141.787) by add-

Returned from House with House substitute (H-1), Wednesday, August 22, 2007; laid over under the rules.

poses; provide for check-off option.

ing sec. 10 to ch. 1 & sec. 36 to ch. 2. **I.E. House, August 21, 2007.** 

Committee recommended I.E.

Appropriations; general government; appropriations for certain state departments and agencies; provide for fiscal year 2007-2008.

Creates appropriation act.

Approved by Governor, with line items vetoed, Wednesday, October 31, 2007.

For veto message, see Senate Journal No. 116 of 2007, page 2122.

Vetoed line items pending.

#### MESSAGES FROM THE HOUSE

### HB 4120 Rep. Bauer

Income tax; city; contributions to a city for specified purposes; provide for check-off option.

Amends 1964 PA 284 (MCL 141.501 - 141.787) by adding sec. 10 to ch. 1 & sec. 36 to ch. 2.

I.E. House, February 27, 2007.

I.E. Senate, March 28, 2007.

Returned from House with House substitute (H-1) to Senate substitute (S-2), Wednesday, August 22, 2007; laid over under the rules.

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### SB 511 Sen. Jelinek

Appropriations; supplemental; multidepartment supplemental for fiscal year 2007; provide for.

Creates appropriation act.

I.E. House, November 6, 2007.

Returned from House with House substitute (H-3), Wednesday, November 7, 2007; laid over under the rules.

<del>\_\_\_\_ 12 \_\_\_\_\_</del>

### HB 4507 Rep. Ward

Elections; scheduling; school board elections; require to be held in November.

Amends secs. 302 & 644g of 1954 PA 116 (MCL 168.302 & 168.644g) & adds sec. 642c.

Returned from House with House substitute (H-2) to Senate substitute (S-6) Tuesday, November 27, 2007; laid over under the rules.

\_\_\_\_ 13 \_\_\_\_

### SB 388 Sen. Cassis

State; escheats; application of unclaimed property act to gift cards; clarify.

Amends secs. 2 & 15 of 1995 PA 29 (MCL 567.222 & 567.235).

I.E. House, November 28, 2007.

Returned from House with House substitute (H-2), Thursday, November 29, 2007; laid over under the rules.

Committee recommended I.E.

# SB 868 Sen. Kuipers

Retirement; legislative; graded premium for new legislators; provide for.

Amends secs. 50b, 75 & 79 of 1957 PA 261 (MCL 38.1050b et seq.) & adds sec. 79a.

I.E. House, December 13, 2007.

Returned from House with House substitute (H-1), Thursday, December 27, 2007; laid over under the rules. Committee recommended I.E.

#### MESSAGES FROM THE HOUSE

\_\_\_\_ 15 \_\_\_\_\_

#### SB 92 Sen. Basham

Environmental protection; permits; liquid industrial waste; exempt fats used to produce fuels.

Amends secs. 12101, 12102, 12103, 12105, 12107, 12111, 12112 & 12113 of 1994 PA 451 (MCL 324.12101 et seg.).

I.E. House, January 16, 2008.

Returned from House with House substitute (H-1), Thursday, January 17; laid over under the rules.

Committee recommended I.E.

### THIRD READING OF BILLS

\_\_\_\_ 16 \_\_\_\_\_

### **HB** 4246 Rep. Steil

Local government; intergovernmental affairs; intergovernmental transfers of functions and responsibilities; revise contents of contracts.

Amends sec. 4 of 1967 (Ex Sess) PA 8 (MCL 124.534).

I.E. House, May 25, 2007.

House substitute (H-2).

Reported by Committee on Local, Urban and State Affairs.

Senate substitute (S-1).

Committee recommended I.E.

Defeated, Wednesday, September 12, 2007; motion to reconsider vote pending.

\_\_\_\_ 17 \_\_\_\_\_

### **HB** 4266 Rep. Opsommer

Local government; intergovernmental affairs; intergovernmental transfers of employees and responsibilities; revise contents of contracts.

Amends sec. 5 of 1967 (Ex Sess) PA 7 (MCL 124.505).

I.E. House, May 25, 2007.

House substitute (H-2).

Reported by Committee on Local, Urban and State Affairs.

Senate substitute (S-1).

Committee recommended I.E.

## SB 559 Sen. Kuipers

Administrative procedure; rules; cost benefit analysis regarding departmental rule change; require as part of the request for rule-making.

Amends sec. 39 of 1969 PA 306 (MCL 24.239).

Reported by Committee on Government Operations and Reform.

Senate substitute (S-1).

For Senate amendment, see Senate Journal No. 66 of 2007, page 995.

Committee recommended I.E.

### THIRD READING OF BILLS

### HB 4506 Rep. Ward

Elections; school; technical amendments to revised school code concerning school board elections; provide for. Amends secs. 4, 5 & 614 of 1976 PA 451 (MCL 380.4 et seq.).

I.E. House, May 22, 2007.

Returned from House as requested, Tuesday, January 22.

Motion to suspend rules pending.

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# SB 786 Sen. Kuipers

Civil procedure; civil actions; limitation on recovery amount allowed in small claims suits; revise.

Amends sec. 8401 of 1961 PA 236 (MCL 600.8401).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_ 21 \_\_\_\_\_

# SB 591 Sen. Kuipers

Torts; product liability; liability of successor corporation for asbestos claims; enact limits.

Amends 1961 PA 236 (MCL 600.101 - 600.9947) by adding ch. 30.

Reported by Committee on Judiciary.

Senate substitute (S-3).

Committee recommended I.E.

### **GENERAL ORDERS**

\_\_\_\_ 22 \_\_\_\_\_

# SB 275 Sen. Whitmer

Courts; juries; exemption for nursing mothers from jury duty; provide for.

Amends sec. 1307a of 1961 PA 236 (MCL 600.1307a).

Reported by Committee on Judiciary.

Committee recommended I.E.

\_\_\_\_ 23 \_\_\_\_\_

### SB 471 Sen. Allen

Liquor; licenses; application process for on-premises or quota license when unavailable in jurisdiction; clarify.

Amends sec. 521a of 1998 PA 58 (MCL 436.1521a).

Reported by Committee on Economic Development and Regulatory Reform.

Committee recommended I.E.

**—** 24 **—** —

### **HB** 4597 Rep. Gillard

Natural resources; hunting; promotion of; provide for on department of natural resources controlled land.

Amends sec. 504 of 1994 PA 451 (MCL 324.504).

I.E. House, May 3, 2007.

House substitute (H-1).

Reported by Committee on Natural Resources and Environmental Affairs.

Committee recommended I.E.

### **GENERAL ORDERS**

\_\_\_\_ 25 \_\_\_\_\_

#### SB 282 Sen. Thomas

Education; curricula; physical education requirement; revise.

Amends sec. 1502 of 1976 PA 451 (MCL 380.1502).

Reported by Committee on Health Policy.

Senate substitute (S-1).

Committee recommended I.E.

<del>\_\_\_\_ 26 \_\_\_\_</del>

### HB 5151 Rep. Bieda

Single business tax; other; sourcing of receipts for mortgage companies; clarify.

Amends sec. 53 of 1975 PA 228 (MCL 208.53).

I.E. House, October 11, 2007.

House substitute (H-1).

Reported by Committee on Finance.

Committee recommended I.E.

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### SB 364 Sen. Jacobs

Economic development; commercial redevelopment; corridor improvement authority act; modify.

Amends secs. 2, 5, 6, 9, 18, 20, 22, 23 & 27 of 2005 PA 280 (MCL 125.2872 et seq.).

Reported by Committee on Economic Development and Regulatory Reform.

Senate substitute (S-4).

Committee recommended I.E.

\_\_\_\_ 28 \_\_\_\_\_

### **HB** 5100 Rep. Mayes

Economic development; renaissance zones; renewable energy facility; include agricultural crops in definition.

Amends sec. 3 of 1996 PA 376 (MCL 125.2683).

I.E. House, October 3, 2007.

For House amendment, see House Journal No. 82 of 2007, page 1379.

Reported by Committee on Economic Development and Regulatory Reform.

Senate substitute (S-1).

Committee recommended I.E.

# **HB 4220** Rep. Espinoza

Public employees and officers; ethics; school board member volunteer service in school district; allow under certain conditions.

Amends sec. 3 of 1978 PA 566 (MCL 15.183).

I.E. House, March 8, 2007.

House substitute (H-1).

Reported by Committee on Education.

Senate substitute (S-1).

Committee recommended I.E.

— 30 ——

# HB 5034 Rep. Sheltrown

Agriculture; fertilizer; "agricultural use"; define.

Amends sec. 8501 of 1994 PA 451 (MCL 324.8501).

I.E. House, October 18, 2007.

Reported by Committee on Agriculture.

Senate substitute (S-1).

Committee recommended I.E.

#### **GENERAL ORDERS**

\_\_\_\_ 31 \_\_\_\_\_

### **HB** 5035 Rep. Mayes

Agriculture; fertilizer; approval for ordinance regarding use of agricultural fertilizer; require by Michigan commission of agriculture.

Amends sec. 8517 of 1994 PA 451 (MCL 324.8517).

I.E. House, October 18, 2007.

Reported by Committee on Agriculture.

Committee recommended I.E.

<del>\_\_\_\_</del> 32 <del>\_\_\_\_\_</del>

### SB 385 Sen. Barcia

Public utilities; electric utilities; requirement for utilities to produce a certain portion of electricity for sale through renewable sources; provide for.

Creates new act.

Committee on Energy Policy and Public Utilities discharged, Tuesday, December 4, 2007.

\_\_\_\_ 33 \_\_\_\_

### SB 212 Sen. Birkholz

Natural resources; Great Lakes; Great Lakes-St. Lawrence river basin water resources compact; ratify.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding pt. 342.

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-6).

Committee recommended I.E.

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### SB 858 Sen. Van Woerkom

Natural resources; Great Lakes; Great Lakes-St. Lawrence river basin water resources compact; amend safe drinking water act to implement.

Amends sec. 4 of 1976 PA 399 (MCL 325.1004).

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-2).

Committee recommended I.E.

\_\_\_\_ 35 \_\_\_\_

### SB 170 Sen. Clark-Coleman

Children; guardians; relative guardianship assistance act; establish.

Creates new act.

Reported by Committee on Families and Human Services.

Senate substitute (S-2).

Committee recommended I.E.

<del>\_\_\_\_ 36 \_\_\_\_</del>

### HB 5143 Rep. Sheltrown

Military affairs; other; reference to "Michigan emergency volunteers"; revise to "Michigan homeland security volunteers".

Amends sec. 251 of 1967 PA 150 (MCL 32.651).

I.E. House, October 9, 2007.

Reported by Committee on Homeland Security and Emerging Technologies.

Committee recommended I.E.

### **GENERAL ORDERS**

#### SB 1009 Sen. Cassis

Business tax; other; exemption of foreign person under certain circumstances from tax; provide for.

Reported by Committee on Finance.

Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_ 38 \_\_\_\_\_

# SB 427 Sen. Kuipers

Public utilities; electric utilities; procedure for access to future capacity and energy needs; create.

Amends title & sec. 6j of 1939 PA 3 (MCL 460.6j) & adds sec. 6q.

Committee on Energy Policy and Public Utilities discharged, Thursday, January 24.

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#### SB 947 Sen. Patterson

Public utilities; other; 21st century energy plan; provide for.

Amends sec. 10q of 1939 PA 3 (MCL 460.10q); adds secs. 10dd, 10ee, 10ff & 11 & repeals sec. 11 of 1939 PA 3 (MCL 460.11).

Committee on Energy Policy and Public Utilities discharged, Thursday, January 24.

### **SB** 1000 Sen. Birkholz

State financing and management; purchasing; requirement for state to purchase a certain percentage of renewable energy; provide for.

Amends 1984 PA 431 (MCL 18.1101 - 18.1594) by adding sec. 257.

Committee on Energy Policy and Public Utilities discharged, Thursday, January 24.

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## SB 1040 Sen. Kahn

Income tax; credit; credit for residential use of a qualified energy program; provide for.

Amends 1967 PA 281 (MCL 206.1 - 206.532) by adding sec. 253.

Committee on Energy Policy and Public Utilities discharged, Thursday, January 24.

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# SB 1041 Sen. Richardville

Public utilities; consumer services; "green energy" programs; require electric suppliers to provide option to customers.

Amends 1939 PA 3 (MCL 460.1 - 460.10cc) by adding sec. 10dd.

Committee on Energy Policy and Public Utilities discharged, Thursday, January 24.

### RESOLUTIONS

— 43 —

### SCR 22 Sen. Bishop

A concurrent resolution to request the State Officers Compensation Commission to recommend a 5 percent reduction in salaries of the members of the Legislature, the Governor, the Lieutenant Governor, the Attorney General, and the Secretary of State the next time the commission meets and to urge the commission to ensure that none of its future recommendations exceed the average increase in state employee pay.

Returned from House with House substitute (H-5), Tuesday, January 22; laid over under the rules. Adoption pending.

#### **COMMITTEE REPORTS**

— 44 *—* 

### SB 865 Sen. Sanborn

Civil procedure; statute of limitations; statute of limitations and statute of repose for actions against architects, engineers, and construction contractors; revise.

Amends secs. 5805 & 5839 of 1961 PA 236 (MCL 600.5805 & 600.5839).

Reported by Committee on Judiciary.

Senate substitute (S-3).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

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#### SB 954 Sen. Richardville

Crimes; malicious destruction; destruction or mutilation of war memorial or war monument; increase penalties to 5 years.

Amends sec. 387 of 1931 PA 328 (MCL 750.387).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

# SB 955 Sen. Richardville

Criminal procedure; sentencing guidelines; sentencing guidelines for crime of damaging or destroying a war memorial monument; establish.

Amends sec. 16s, ch. XVII of 1927 PA 175 (MCL 777.16s).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

### SCHEDULED MEETINGS

**Agriculture -** Thursday, January 31, 9:00 a.m., Room 110, Farnum Building (373-1635)

**Appropriations, Senate/House -** Thursday, February 7, 11:00 a.m., House Appropriations Room, 3rd Floor, Capitol Building (373-6960)

#### **Subcommittees -**

**Community Health Department -** Thursdays, February 14, February 21 and February 28, 1:00 p.m., and March 13, 2:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

**Environmental Quality Department -** Tuesdays, February 5 (CANCELED) and February 12, 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Higher Education and Community Colleges, and House Higher Education and Community Colleges Appropriations Subcommittees - Wednesday, January 30 (CANCELED), and Thursday, January 31, 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**K-12, School Aid, Education -** Tuesdays, February 19, February 26, March 4 and March 11, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**State Police and Military Affairs -** Wednesday, February 6, 2:00 p.m., Room 100, Farnum Building (373-2768) (CANCELED)

**Banking and Financial Institutions -** Wednesday, January 30, 9:00 a.m., Room 210, Farnum Building (373-3543)

**Economic Development and Regulatory Reform -** Wednesday, January 30, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-7670)

**Finance -** Thursday, January 31, 10:30 a.m. or later immediately following session, Room 110, Farnum Building (373-1758)

**Health Policy -** Wednesday, January 30, 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-0793)

**Transportation -** Thursday, January 31, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-7708)

### **BILLS IN CONFERENCE**

		Conferees		Report Agreed to	
Bill No.	Brief Title	Senate	House	Senate	House
SB 220	Appropriations; zero budget; supplemental	Bishop	Tobocman		
	appropriations; provide for fiscal	Jelinek	Cushingberry		
	year 2006-2007.	Switalski	Acciavatti		